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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**Docket Number (Optional)
HEMAC-58774

First Named Inventor: Joshua Levy

Art Unit: 1644

Application Number: 10/041,950

Examiner: David A. Saunders

Filed: 10/19/2001

Title: METHOD FOR HIGH YIELD PURIFICATION OF IMMUNE GLOBULINS FROM BLOOD PLASMA AND BLOOD PLASMA INTERMEDIATES

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703)305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

Small entity - fee \$ _____ (37 CFR 1.17(l)) Applicant claims small entity status..
See 37 CFR 1.27.

Other than small entity - fee \$ 110.00 (37 CFR 1.17(l)).

2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in the form of**

(identify the type of reply):

has been filed previously on _____.
 is enclosed herewith.

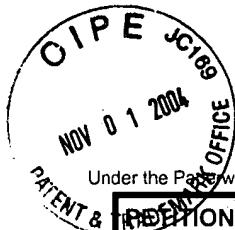
B. The issue fee of \$ 1,700

has been paid previously on _____.
 is enclosed herewith.

(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)		Docket Number (Optional) HEMAC-58774
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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ (other than a small entity) disclaiming the required period of time enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorize on PTO-2038.

October 26, 2004

Date

David G. Parkhurst

Signature

310 824-5555
Telephone Number

David G. Parkhurst
Typed or printed name

29,422
Registration Number, if applicable

Fulwider Patton Lee & Utecht, LLP
Address

6060 Center Dr., 10th Fl., L.A., CA 90045
Address

Enclosures:

Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unavoidable delay

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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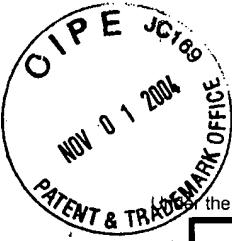
October 26, 2004

Date

David G. Parkhurst

Signature

David G. Parkhurst
Typed or printed name of person signing certificate



PTO/SB/61 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

October 26, 2004
Date

David G. Parkhurst
Signature

29,422
Registration Number, if applicable

David G. Parkhurst
Typed or printed name

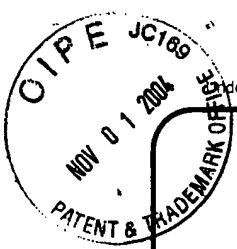
(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

Attached is a copy of the issue fee transmittal and a copy of our check no. 2550 for \$1,660.00 mailed to the Mail Stop Issue Fee to the U.S. Patent & Trademark Office on August 25, 2004, with the certificate of mailing by first class mail under 37 C.F.R. Section 1.8, signed by James W. Paul, to verify that the payment of the issue fees due September 29, 2004 was submitted by mail on August 25, 2004.

On October 25, 2004, Laura Martinez, secretary to James W. Paul, ascertained that our check no. 2550 had not cleared, and checked with the U.S. Patent & Trademark Office publication and issue department to ascertain that our submission of the issue fee had not been received by the U.S. Patent & Trademark Office. This petition to revive was therefore prepared immediately, so that the entire delay in filing of the issue fees was unavoidable.

(Please attach additional sheets if additional space is needed.)

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DAS
JW

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/041,950
		Filing Date	10/19/01
		First Named Inventor	Joshua Levy
		Art Unit	1644
		Examiner Name	David A. Saunders
Total Number of Pages in This Submission		Attorney Docket Number	HEMAC-58774

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)	
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<div style="border: 1px solid black; padding: 5px;"> Petition Declaration copy of issue fee transmittal Return receipt postcard \$1,810 check </div>	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____		
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application			
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			
CUSTOMER NO. 24201			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	FULWIDER PATTON LEE & UTECHT, LLP	
Signature		
Date	October 26, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Typed or printed name	DAVID G. PARKHURST	
Signature		Date

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Client ID/Matter No.: HEMAC-58774

Application No.: 10/041,950

Filed: October 19, 2001

Date Mailed: August 25, 2004

Date Due: September 29, 2004

Applicant(s): Joshua Levy, et al.

Title: METHOD FOR HIGH YIELD PURIFICATION OF IMMUNE GLOBULINS FROM BLOOD PLASMA AND BLOOD PLASMA INTERMEDIATES

Documents enclosed:

1. Issue Fee Transmittal Form
2. Check; and
3. Return Postcard

The U.S. Patent and Trademark Office Mail Room stamp hereon acknowledges receipt of the items indicated above on the date shown.
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21352.1

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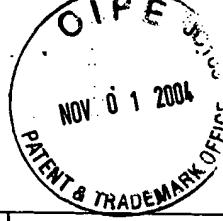
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COMMISSIONER OF PATENTS & TRADEMARKS

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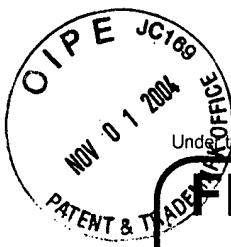
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FEET TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
\$1,810.00

Complete if Known

Application Number	10/041,950
Filing Date	10/19/01
First Named Inventor	Joshua Levy
Examiner Name	David A. Saunders
Art Unit	1644
Attorney Docket No.	HEMAC-58774

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																							
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 06-2425 Deposit Account Name FULWIDER PATTON LEE ...				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Fee Code (\$)</td> <td>Fee Code (\$)</td> <td>Fee Description</td> <td>Fee Paid</td> </tr> <tr> <td>1051 130</td> <td>2051 65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052 50</td> <td>2052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053 130</td> <td>1053 130</td> <td>Non - English specification</td> <td></td> </tr> <tr> <td>1812 2,520</td> <td>1812 2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804 920*</td> <td>1804 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805 1,840*</td> <td>1805 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251 110</td> <td>2251 55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252 430</td> <td>2252 215</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253 980</td> <td>2253 490</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254 1,530</td> <td>2254 765</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255 2,080</td> <td>2255 1,040</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401 340</td> <td>2401 170</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402 340</td> <td>2402 170</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403 300</td> <td>2403 150</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451 1,510</td> <td>1451 1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452 110</td> <td>2452 55</td> <td>Petition to revive - unavoidable</td> <td>110.00</td> </tr> <tr> <td>1453 1,370</td> <td>2453 685</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501 1,370</td> <td>2501 685</td> <td>Utility issue fee (or reissue)</td> <td>1,370.00</td> </tr> <tr> <td>1502 490</td> <td>2502 245</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503 660</td> <td>2503 330</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1460 130</td> <td>1460 130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807 50</td> <td>1807 50</td> <td>Processing fee under 37 CFR § 1.17(q)</td> <td></td> </tr> <tr> <td>1806 180</td> <td>1806 180</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>8021 40</td> <td>8021 40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809 790</td> <td>2809 395</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>1810 790</td> <td>2810 395</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>1801 790</td> <td>2801 395</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>1802 900</td> <td>1802 900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) <u>\$300 publication fee, \$30 for 10 soft ccs</u></td> </tr> <tr> <td colspan="4">SUBTOTAL (1) (\$) \$1,810.00</td> <td colspan="4">SUBTOTAL (3) (\$) \$1,810.00</td> </tr> <tr> <td colspan="8">*or number previously paid, if greater; For Reissues, see above</td> </tr> <tr> <td colspan="8">Reduced by Basic Filing Fee Paid</td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	1051 130	2051 65	Surcharge - late filing fee or oath		1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		1053 130	1053 130	Non - English specification		1812 2,520	1812 2,520	For filing a request for ex parte reexamination		1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		1251 110	2251 55	Extension for reply within first month		1252 430	2252 215	Extension for reply within second month		1253 980	2253 490	Extension for reply within third month		1254 1,530	2254 765	Extension for reply within fourth month		1255 2,080	2255 1,040	Extension for reply within fifth month		1401 340	2401 170	Notice of Appeal		1402 340	2402 170	Filing a brief in support of an appeal		1403 300	2403 150	Request for oral hearing		1451 1,510	1451 1,510	Petition to institute a public use proceeding		1452 110	2452 55	Petition to revive - unavoidable	110.00	1453 1,370	2453 685	Petition to revive - unintentional		1501 1,370	2501 685	Utility issue fee (or reissue)	1,370.00	1502 490	2502 245	Design issue fee		1503 660	2503 330	Plant issue fee		1460 130	1460 130	Petitions to the Commissioner		1807 50	1807 50	Processing fee under 37 CFR § 1.17(q)		1806 180	1806 180	Submission of Information Disclosure Statement		8021 40	8021 40	Recording each patent assignment per property (times number of properties)		1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))		1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))		1801 790	2801 395	Request for Continued Examination (RCE)		1802 900	1802 900	Request for expedited examination of a design application		Other fee (specify) <u>\$300 publication fee, \$30 for 10 soft ccs</u>				SUBTOTAL (1) (\$) \$1,810.00				SUBTOTAL (3) (\$) \$1,810.00				*or number previously paid, if greater; 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Name (Print/Type)	David G. Parkhurst	Registration No. (Attorney/Agent)	29,422	Telephone	310 824 5555																																																																																																																																																						
Signature						Date																																																																																																																																																					

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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